

**Remarks/Arguments:**

***Status of the Application***

In the present response, no claims are being amended or cancelled so that claims 1-5, 8-9 and 11-14 are pending.

Applicants thank the Examiner for withdrawing the previous 35 USC 112, first paragraph and obviousness rejections and for indicating claims 11-14 are allowable.

**Non-statutory Obviousness-Type Double Patenting Rejections**

Claim 1-5 and 8 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 5, 6, and 7 of U.S. Pat. No 7,253,173 to Brown et al.

Applicants respectfully submit herewith a terminal disclaimer as to U.S. Patent No. 7,253,173. As a result, the obviousness-type double patenting rejection over the claims of the '173 patent have been rendered moot. Accordingly, Applicants respectfully request the Office withdraw this rejection.

**Objections**

Claim 9 has been objected to for depending upon rejected claim 1. Applicants respectfully assert this objection has been rendered moot by the terminal disclaimer submitted herewith. Accordingly, Applicants respectfully request the Office withdraw this objection.

Respectfully submitted,

/Jacqueline M. Cohen/

Name: Jacqueline M. Cohen  
Dated: November 7, 2008  
Reg. No.: 51,574  
Phone No.: 302-885-4269  
Intellectual Property, Patents,  
AstraZeneca  
1800 Concord Pike  
Wilmington, DE 19850-5437